

REMARKS/ARGUMENTS

Reconsideration of this application in light of the above amendments and following comments is courteously solicited.

Applicant by the instant amendment has amended dependent claims 2, 3, 7 and 8 so as to overcome the examiner's rejection under 35 U.S.C. 112, second paragraph. It is submitted that all of the claims as pending now comply with the formal requirements of 35 U.S.C. 112, second paragraph.

In response to the examiner's rejection, claims 1, 7, 9 and 10 have been amended so as to incorporate therein the following limitation:

"...performing a logical operation between two or more collections to create a new collection so as to make said holding means hold the newly created collection as said target of retrieval..."

In accordance with the invention, the effects of "a complicated combination of retrieval conditions does not need making at a time, which eliminates the need to acquire a mastery of complicated retrieval requests and reduces the application of load to the retrieval processing system" is obtained. See the specification of the instant application and particularly paragraph [0015] of the published application.

The examiner alleges that Barry discloses "computation means for performing a logical operation between two or more collections to create a new collection so as to make said

holding means hold the newly created collection" in Fig. 19b thereof. The examiner further alleges that in specifying a range of pages to retrieve from the collection of invoice reports, logical operations are performed. Applicants traverse the examiner's rejection.

The examiner has based his rejection on a hindsight reconstruction which is improper under 35 U.S.C. 103. In this regard the following should be noted. Barry discloses "Upon executing the retrieve user command, the online invoicing GUI application displays the screen 1915 shown at Fig. 19(b) listing the report documents. For each document, date, invoice, number, bill payer id, and number of pages are displayed as shown in screen display 1915...." in the specification concerning Fig. 19b (column 47, lines 17-35). Further, Fig. 19(b) shows screen or window for specifying a range for conducting retrieve such as "0003 Pages available for this document. Please specify a range of pages to retrieve. Maximum retrieval pages is 100". Furthermore, Barry does not disclose or suggest the construction concerning the above construction of the present invention in another part thereof.

It is respectfully submitted that the claims as amended distinguish over the data management system disclosed in the Barry reference. Barry does not disclose or suggest the

specific "computation means" now claimed in the claims nor the benefit obtained therefrom. Accordingly, it is respectfully submitted that all of the claims as amended patentably define over the Barry reference.

An earnest and thorough attempt has been made by the undersigned to resolve the outstanding issues in this case and place same in condition for allowance. If the Examiner has any questions or feels that a telephone or personal interview would be helpful in resolving any outstanding issues which remain in this application after consideration of this amendment, the Examiner is courteously invited to telephone the undersigned and the same would be gratefully appreciated.

It is submitted that the claims as amended herein patentably define over the art relied on by the Examiner and early allowance of same is courteously solicited.

If any fees are required in connection with this case, it  
is respectfully requested that they be charged to Deposit  
Account No. 02-0184.

Respectfully submitted,

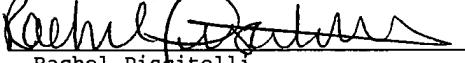
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I hereby certify that this correspondence is being deposited with the United States Postal Service with sufficient postage as first class mail in an envelope addressed to: "Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313" on November 30, 2004

  
Rachel Piscitelli